

# EXHIBIT 8

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

NO. **14-11250**

SUZANNE STONE MARSHALL, ADELE FOX, MARSHA PESHKIN, and  
RUSSELL OASIS, individually and on behalf of a class of similarly situated,

Appellants,

- versus -

CAPITAL GROWTH COMPANY; DECISIONS, INC.; FAVORITE FUNDS; JA  
PRIMARY LIMITED PARTNERSHIP; JA SPECIAL LIMITED PARTNER-  
SHIP; JAB PARTNERSHIP; JEMW PARTNERSHIP; JF PARTNERSHIP; JFM  
INVESTMENT COMPANIES;  
JLN PARTNERSHIP; JMP LIMITED PARTNERSHIP; JEFFRY M. PICOWER  
SPECIAL COMPANY; JEFFRY M. PICOWER, P.C.; THE PICOWER FOUN-  
DATION; THE PICOWER INSTITUTE OF MEDICAL RESEARCH; THE  
TRUST F/B/O GABRIELLE H. PICOWER; BARBARA PICOWER, individually,  
and as Executor of the Estate of Jeffry M. Picower, and as Trustee for the Picower  
Foundation and for the Trust f/b/o Gabriel H. Picower.

Appellees.

---

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

---

**APPELLANTS' EXPEDITED MOTION FOR AN INJUNCTION PENDING APPEAL**

BECKER & POLIAKOFF, LLP  
Helen Davis Chaitman  
45 Broadway  
New York, New York 10006  
Telephone: (212) 599-3322  
Facsimile: (212) 557-0295  
HChaitman@bplegal.com  
*Counsel for Appellants*

Respectfully submitted

By: /s/ Helen Davis Chaitman  
BECKER & POLIAKOFF, LLP  
Helen Davis Chaitman  
45 Broadway  
New York, New York 10006  
Telephone: (212) 599-3322  
Facsimile: (212) 557-0295  
HChaitman@bplegal.com  
*Counsel for Appellants*

**CERTIFICATE OF SERVICE**

I hereby certify that an original and three copies of the foregoing Certificate of Interested Persons and Motion were delivered by overnight mail to the United States Court of Appeals for the Eleventh Circuit on the 9th day of April, 2014, and that a copy thereof was delivered by overnight mail on the same day to all those on the attached service list:

/s/ Helen Davis Chaitman  
Helen Davis Chaitman

Sanford L. Bohrer  
701 Brickell Avenue, Suite 3300  
Miami, FL 33131  
Telephone: (305) 374-8500  
Facsimile: (305) 789-7799  
Sandy.Bohrer@hklaw.com

William D. Zabel, Esq.  
Marcy Ressler Harris, Esq.  
Schulte Roth & Zabel, LLP  
919 Third Avenue  
New York, NY 10022  
Telephone: (212) 756-2351  
Facsimile: (212) 593.5955  
william.zabel@srz.com  
marcy.harris@srz.com

Lesley Guy Blackner  
Blackner Stone & Associates  
340 Royal Poinciana Way, St 317-377  
Palm Beach, FL 33480  
Phone: 561-659-5754  
Fax: 561-659-3184  
Email: LBlackner@aol.com

Andrew Steven Kwan & Joseph George Galardi  
505 South Flagler Drive, Ste. 1500  
West Palm Beach, FL 33401  
Phone: 561-835-0900  
Fax: 561-835-0939  
Email: [kwan@beasleylaw.net](mailto:kwan@beasleylaw.net)  
Email: [Galardi@beasleylaw.net](mailto:Galardi@beasleylaw.net)

David Sheehan  
Counsel for Trustee Irving Picard  
BakerHostetler  
45 Rockefeller Plaza, #10  
New York, NY 10111  
Phone (212) 589-4616  
[dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)  
[tkinne@bakerlaw.com](mailto:tkinne@bakerlaw.com)

The Honorable Kenneth L. Ryskamp  
United States District Court for the Southern District of Florida  
Paul G. Rogers Federal Building  
701 Clematis Street, Room 416  
West Palm Beach, FL 33401

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

NO. **14-11250**

SUZANNE STONE MARSHALL, ADELE FOX, MARSHA PESHKIN, and  
RUSSELL OASIS, individually and on behalf of a class of similarly situated,

Appellants,

- versus -

CAPITAL GROWTH COMPANY; DECISIONS, INC.; FAVORITE FUNDS; JA  
PRIMARY LIMITED PARTNERSHIP; JA SPECIAL LIMITED  
PARTNERSHIP; JAB PARTNERSHIP; JEMW PARTNERSHIP; JF  
PARTNERSHIP; JFM INVESTMENT COMPANIES;  
JLN PARTNERSHIP; JMP LIMITED PARTNERSHIP; JEFFRY M. PICOWER  
SPECIAL COMPANY; JEFFRY M. PICOWER, P.C.; THE PICOWER  
FOUNDATION; THE PICOWER INSTITUTE OF MEDICAL RESEARCH; THE  
TRUST F/B/O GABRIELLE H. PICOWER; BARBARA PICOWER, individually,  
and as Executor of the Estate of Jeffry M. Picower, and as Trustee for the Picower  
Foundation and for the Trust f/b/o Gabriel H. Picower.

Appellees.

---

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

---

**APPELLANTS' MOTION FOR EXPEDITED APPEAL**

BECKER & POLIAKOFF, LLP  
Helen Davis Chaitman  
45 Broadway  
New York, New York 10006  
Telephone: (212) 599-3322  
Facsimile: (212) 557-0295  
HChaitman@bplegal.com  
*Counsel for Appellants*

**CERTIFICATE OF SERVICE**

I hereby certify that an original and three copies of the foregoing Certificate of Interested Persons and Motion were delivered by overnight mail to the United States Court of Appeals for the Eleventh Circuit on the 9th day of April, 2014, and that a copy thereof was delivered by overnight mail on the same day to all those on the attached service list:

/s/ Helen Davis Chaitman

Helen Davis Chaitman

Sanford L. Bohrer  
701 Brickell Avenue, Suite 3300  
Miami, FL 33131  
Telephone: (305) 374-8500  
Facsimile: (305) 789-7799  
Sandy.Bohrer@hklaw.com

William D. Zabel, Esq.  
Marcy Ressler Harris, Esq.  
Schulte Roth & Zabel, LLP  
919 Third Avenue  
New York, NY 10022  
Telephone: (212) 756-2351  
Facsimile: (212) 593.5955  
william.zabel@srz.com  
marcy.harris@srz.com

Lesley Guy Blackner  
Blackner Stone & Associates  
340 Royal Poinciana Way, St 317-377  
Palm Beach, FL 33480  
Phone: 561-659-5754  
Fax: 561-659-3184  
Email: LBlackner@aol.com

Andrew Steven Kwan & Joseph George Galardi  
505 South Flagler Drive  
Ste. 1500  
West Palm Beach, FL 33401  
Phone: 561-835-0900  
Fax: 561-835-0939  
Email: [kwan@beasleylaw.net](mailto:kwan@beasleylaw.net)  
Email: [Galardi@beasleylaw.net](mailto:Galardi@beasleylaw.net)

David Sheehan  
Counsel for Trustee Irving Picard  
BakerHostetler  
45 Rockefeller Plaza, #10  
New York, NY 10111  
Phone (212) 589-4616  
[dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)  
[tkinne@bakerlaw.com](mailto:tkinne@bakerlaw.com)

The Honorable Kenneth L. Ryskamp  
United States District Court for the Southern District of Florida  
Paul G. Rogers Federal Building  
701 Clematis Street, Room 416  
West Palm Beach, FL 33401